IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 1491 of 2004

Between:

M/s.Dhanista Construction, at D.No.27-32-47 on 75 Feet Road,Visakhapatnam. Proprietor Sri Jugal Kishore Rawat, R/o.Visakhapatnam.

..... PETITIONER

AND

The Commissioner of Municipal Corporation of Visakhapatnam, Visakhapatnam.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent in interfering with the construction of the Residential Apartments in T.S.No.983 (P), Ward No.21, Plot Nos.45 and 46 situate at Kirlampudi layout, Visakhapatnam i.e., part in 4th floor subject to the conditions laid down in the permission letter is highly illegal, arbitrary and unjustified with a direction to the Respondent not to interfere with the construction of the Residential Apartments in T.S.No.983(P), ward No.21, plot Nos.45&46 situate at Kirlampudi Layout, Visakhapatnam, i.e., part of 4th floor without following the due process of law.

Counsel for the Petitioner:MR.M.V.S.SAI KUMAR

Counsel for the Respondent No.: MR.T.S.VENKATARAMANA

The Court made the following :

O R D E R:

It is represented by the learned counsel for the petitioner that the cause in the writ petition does not survive and therefore, no further adjudication is necessary.

The writ petition is accordingly dismissed as infructuous. No costs.

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MS.G.ROHINI.J

14/12/2004

tjs

ASSISTANT REGISTRAR

To

1. The Commissioner of Municipal Corporation of Visakhapatnam, Visakhapatnam.

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